IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

CONTEMPT PETITION NO.286 OF 2004
IN
W.P.NO. 9199 OF 2003

Shri.Rauji Vitthal Nare ..Petitioner

Vs.

Smt.Soniya Sethi and Anr. ..Respondents

...

None for Petitioner
Mr.C.M.Lokesh for Mr.G.S.Hegde for Respondent No.1
Mr.A.H.Palekar AGP for Respondent no.2

...

CORAM : B.H.MARLAPALLE,J.

DATE : MAY 6,2005

P.C.:

1. Perused the affidavit in reply filed by the Additional Dist. Magistrate Sindhudurg. The Petitioner has been issued a gun licence and he has reportedly purchased the weapon on 21.2.2005 as has been recorded under Entry no. 56851.

2. It has been further contended that the order dated 4.2.2004 passed in W.P.No. 9199 of 2003 was received by the affiant on 10.2.2004 and due to the enforcement of the code of conduct on account of the 'Lok Sabha' election, the petitioner's application could not be decided. Hearings were conducted on 19.7.2004 and 23.7.2004. Finally by an order dated

28.7.2004 the Petitioner was granted Arm's licence for the protection of his agriculture land and produce. On the face of these explanations furnished, it cannot be said that the order passed by this Court was wilfully disobeyed and therefore, as at present, there is no case to take cognizance of the alleged contempt within the meaning of Section 2(b) of the Contempt of Courts Act, 1971.

3. The petition is rejected summarily.

[B.H.MARLAPALLE,J.]